

Coons	King	Reed
Cornyn	Kirk	Reid
Donnelly	Klobuchar	Rockefeller
Durbin	Leahy	Sanders
Feinstein	Levin	Schatz
Flake	Manchin	Schumer
Franken	Markey	Shaheen
Gillibrand	McCaskill	Stabenow
Graham	Menendez	Tester
Hagan	Merkley	Toomey
Harkin	Mikulski	Udall (NM)
Hatch	Murkowski	Udall (NM)
Heinrich	Murphy	Vitter
Heitkamp	Murray	Walsh
Hirono	Nelson	Warner
Isakson	Paul	Warren
Johnson (SD)	Portman	Whitehouse
Kaine	Pryor	Wyden

NAYS—25

Blunt	Hoeven	Roberts
Boozman	Inhofe	Rubio
Corker	Johanns	Scott
Crapo	Johnson (WI)	Sessions
Cruz	Lee	Shelby
Enzi	McCain	Thune
Fischer	McConnell	Wicker
Grassley	Moran	
Heller	Risch	

NOT VOTING—4

Coburn	Landrieu
Cochran	Udall (CO)

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 25. The motion is agreed to.

NOMINATION OF FRANKLIN M. ORR, JR., TO BE UNDER SECRETARY FOR SCIENCE, DEPARTMENT OF ENERGY

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Franklin M. Orr, Jr., of California, to be Under Secretary for Science, Department of Energy.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the motion to invoke cloture on the Hezir nomination.

Who yields time?

Mr. CARDIN. I ask unanimous consent all time be yielded back.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Joseph S. Hezir, of Virginia, to be Chief Financial Officer, Department of Energy.

Harry Reid, Mary Landrieu, Patrick J. Leahy, Elizabeth Warren, Robert Menendez, Barbara Mikulski, Jack Reed, Richard Blumenthal, Carl Levin, Christopher Murphy, Kirsten E. Gillibrand, Sheldon Whitehouse, Patty Murray, Thomas Carper, John D. Rockefeller IV, Jeff Merkley, Richard J. Durbin, Benjamin Cardin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Joseph S. Hezir, of Virginia, to be Chief Financial Officer of the Department of Energy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Mississippi (Mr. COCHRAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 27, as follows:

[Rollcall Vote No. 307 Ex.]

YEAS—68

Ayotte	Gillibrand	Murphy
Baldwin	Graham	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Hirono	Rubio
Brown	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Kaine	Sessions
Casey	King	Shaheen
Chambliss	Klobuchar	Stabenow
Coats	Leahy	Tester
Collins	Levin	Toomey
Coons	Manchin	Udall (NM)
Cornyn	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Flake	Mikulski	Wyden
Franken	Murkowski	

NAYS—27

Alexander	Grassley	Moran
Barrasso	Heller	Portman
Boozman	Hoeven	Risch
Burr	Johanns	Roberts
Corker	Johnson (WI)	Scott
Crapo	Kirk	Shelby
Cruz	Lee	Thune
Enzi	McCain	Vitter
Fischer	McConnell	Wicker

NOT VOTING—5

Coburn	Landrieu	Udall (CO)
Cochran	Rockefeller	

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 27.

The motion is agreed to.

JOSEPH S. HEZIR TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF ENERGY

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Joseph S. Hezir, of Virginia, to be Chief Financial Officer, Department of Energy.

The PRESIDING OFFICER. Under the previous order, with respect to the confirmation votes on the Hale, Kearney, and Pappert nominations, the

motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

Mr. HOEVEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that all postcloture time on the Orr and Hezir nominations be considered expired and the votes on confirmation of these nominations occur at 10 a.m. tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Finally, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF GREGORY N. STIVERS TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1039.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky.

CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk, and I ask for it to be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky.

Harry Reid, Patrick J. Leahy, Christopher Murphy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F.